

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**CLARENCE A. BRANCH, 3RD,**

Plaintiff,

V.

UNITED STATES OF AMERICA,  
DIRECTOR OF COMMERCE, et al.,

## Defendants.

Case No. 2:18-cv-00401-JAD-BNW

## **REPORT AND RECOMMENDATION**

On November 18, 2019, the court granted Plaintiff's application to proceed *in forma pauperis* and screened his complaint. (ECF No. 4.) After screening Plaintiff's complaint, the court dismissed it without prejudice and gave Plaintiff until December 20, 2019 to file an amended complaint. (*Id.* at 3.) Given that plaintiff has not complied with the court's order or taken any action in this case since the court's order dated November 18, 2019, he appears to have abandoned this case.

IT IS THEREFORE RECOMMENDED that plaintiff Clarence A. Branch, 3<sup>rd</sup>'s case be dismissed without prejudice.

## NOTICE

This report and recommendation is submitted to the United States district judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely

1 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d  
2 1153, 1157 (9th Cir. 1991).

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4 DATED: February 11, 2020

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BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE